

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2021 OCT 22 P 12:39

CLERK
S.D. DIST. CT. GA.

ARIEL CURTIS,

Plaintiff,

v.

CV 321-015

CORECIVIC, INC.; CORECIVIC OF
TENNESSEE, LLC; THE CITY OF
ALAMO, GA; and CASANDRA BONEY,

Defendants.

O R D E R

On September 16, 2021, the Court deferred resolving a portion of a motion to partially dismiss the Amended Complaint filed by Defendants CoreCivic, Inc. and CoreCivic of Tennessee, LLC (collectively referred to as ("CoreCivic")) and Casandra Boney. (Doc. No. 33.) Relevant here, Defendants moved to dismiss Plaintiff's claims under 42 U.S.C. § 1983 against CoreCivic in Counts One and Two of the Amended Complaint. The Court ruled that the Amended Complaint did not contain factual allegations linking any policy provision to the course of conduct taken by CoreCivic's employee, Defendant Boney. The Court afforded Plaintiff the opportunity to amend the Amended Complaint.

By close of business on September 16, 2021, Plaintiff filed a Second Amended Complaint, this time attaching CoreCivic's policy titled "Entry/Exit Procedures" for the Wheeler Correctional

Facility and alleging throughout the Second Amended Complaint that the conduct taken by Defendant Boney was pursuant to the "further action" language of the attached policy. (See Doc. No. 35.)

On October 4, 2021, Defendant CoreCivic filed an Answer and Affirmative Defenses to the Second Amended Complaint. Additionally, the Court concludes that the Second Amended Complaint now contains sufficient factual allegations causally linking a CoreCivic policy to the alleged misconduct in the case.

Upon the foregoing, Defendants' motion to partially dismiss Plaintiff's Amended Complaint (doc. no. 24) is **DENIED** in its entirety.

ORDER ENTERED at Augusta, Georgia, this 22nd day of October, 2021.


UNITED STATES DISTRICT JUDGE